

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
NORTHERN DIVISION
NO. 2:11-CV-64-BO

SRS NORTH CAROLINA PROPERTIES,)
LLC AND STEPHEN R. SMITH,)
Plaintiffs,)


v.)

ORDER

CROC, LLC; DAVID W. STAGEMEYER;)
CAROLYN L. STAGEMEYER; JAMES)
B. BONNER; NORA A. BONNER; AND)
DAN L. MERRELL;)
Defendants.)

This matter is before the Court on Plaintiffs' Motion to Amend Their Complaint [DE 18] and Defendants' Motion to Dismiss [DE 16]. In the interest of justice and for good cause shown, Plaintiffs' Motion to Amend is GRANTED. Plaintiffs are DIRECTED to file the amended complaint with this Court within five days of the date of entry this Order. Defendants' Motion to Dismiss is DENIED WITHOUT PREJUDICE, with permission to refile in response to Plaintiffs' Amended Complaint if appropriate. Defendants are reminded, in filing any future motion to dismiss, that they must also file an accompanying supporting memorandum, in compliance with Local Rule 7.1(d).

SO ORDERED. This 5 day of April, 2012.


TERRENCE W. BOYLE
UNITED STATES DISTRICT JUDGE